

PSC NO: 1 LOCAL EXCHANGE SERVICE  
SBC Long Distance, LLC d/b/a SBC Long  
Distance, d/b/a AT&T Long Distance  
Initial Effective Date: February 9, 2006

Leaf: 178  
Revision: 0

Superseding Revision:

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The following shall be excluded from any determination of Latency:

- Force majeure;
- Data exceeding the subscribed Committed Information Rate (CIR) for SBC PremierSERV<sup>SM</sup> Frame Relay or Sustained Information Rate (SIR) for SBC PremierSERV<sup>SM</sup> ATM;
- Failures due to facilities or equipment provided by another party or the Customer;
- Failures due to unauthorized use of Service or inaccurate network specifications requested by the Customer;
- Failures due to negligence or willful misconduct by the Customer;
- SBC PremierSERV<sup>SM</sup> UBR VPC/VCCs;
- SBC PremierSERV<sup>SM</sup> ATM Host-Link;
- Access failures;
- PVCs that transmit data across oversubscribed ingress or egress ports, which includes data not marked "discard eligible" and instances where the cell loss priority equals one (1).

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